

KENTUCKY BOARD OF NURSING  
312 WHITTINGTON PARKWAY, SUITE 300  
LOUISVILLE, KY 40222-5172

***SUMMARY REPORT OF KENTUCKY BOARD OF NURSING ADVISORY OPINIONS ON  
NURSING PRACTICE ISSUES***

**July 1, 2017 – June 30, 2018**

**INDEX to Actions taken by the Board:**

1. AOS #36 Resuscitation Orders, Pronouncement of Death and Death Certificate - 10/2017 & 04/2018
2. AOS #32 Procedural Sedation and Analgesia – 12/2017
3. AOS #40 Social Media for Nurses – 12/2017
4. Scope of Practice of Registered Nurses in the Delegation of Medication Administration of Klonopin® (Clonazepam) Wafers for Seizure Management to Unlicensed Assistive Personnel – 12/2017
5. AOS #09 Wound Assessment, Staging, and Treatment by Nurses – 02/2018
6. AOS #11 Insertion and Removal of Nasogastric Tubes and Reinsertion of Percutaneous Endoscopic Gastrostomy (PEG) Tubes – 02/2018
7. AOS #41 RN/LPN Scope of Practice Determination Guidelines – 02/2018
8. AOS #05 The Performance of Advanced Life Support Procedures by Nurses – 04/2018
9. AOS #25 Placement of Central Lines by Nurses – 04/2018
10. AOS #26 Roles of Nurses in the Performance of Advanced Life Support and Delivery of Emergency Medical Care via Ambulance Services – 04/2018
11. AOS #33 Roles of Nurses in the Delegation of Tasks to Paramedics in a Hospital Emergency Department – 04/2018
12. AOS #34 Role of Nurses in Maintaining Confidentiality of Patient Information – 04/2018
13. Scope of Practice of the APRNs (CRNAs & CNMs) Role Designation/Population Focus Performing Sports Physicals – 04/2018
14. Scope of Practice of the APRN CRNA in the Independent Practice of Cosmetic and Dermatologic Procedures – 04/2018
15. Scope of Practice of the Ketamine Clinics for Chronic Pain/PTSD – 04/2018

**Advisory Opinion Statements – New**

- AOS #40 Social Media for Nurses – 12/2017
- AOS #41 RN/LPN Scope of Practice Determination Guidelines – 02/2018

**Advisory Opinion Statements – Re-published**

None

**Advisory Opinion Statements – Revised**

- AOS #36 Resuscitation Orders, Pronouncement of Death and Death Certificate – 10/2017 & 04/2018
- AOS #32 Procedural Sedation and Analgesia – 12/2017
- AOS #09 Wound Assessment, Staging, and Treatment by Nurses – 02/2018
- AOS #11 Insertion and Removal of Nasogastric Tubes and Reinsertion of Percutaneous

- Endoscopic Gastrostomy (PEG) Tubes – 02/2018
- AOS #25 Placement of Central Lines by Nurses – 04/2018
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- AOS #33 Roles of Nurses in the Delegation of Tasks to Paramedics in a Hospital Emergency Department – 04/2018
- AOS #34 Role of Nurses in Maintaining Confidentiality of Patient Information – 04/2018

### **Advisory Opinion Statements – Editorial Revisions**

- AOS #01 – Role of the RN/LPN in Spinal Screening for Detection of Common Abnormal/Curvatures of the Spine – 04/2018
- AOS #02 – Scope of Nursing Practice in Gynecological Cancer Detection – 05/2018
- AOS #04 – Roles of Nurses in the Administration of Medication per Intraspinal Routes – 05/2018
- AOS #06 – The Performance of Arterial Puncture by Registered Nurses – 05/2018
- AOS #07 – Roles of Nurses in Superficial Wound Closure – 05/2018
- AOS #08 – Role of the Registered Nurse First Assistant – 05/2018
- AOS #09 – Wound Assessment, Staging, and Treatment by Nurses – 05/2018
- AOS #10 – Roles of Nurses in the Care of Prenatal Intrapartum Patients – 05/2018
- AOS #11 – Insertion and Removal of Nasogastric Tubes and Reinsertion of Percutaneous Endoscopic Gastrostomy (PEG) Tubes – 05/2018
- AOS #13 – Roles of Nurses in Psychiatric-Mental Health Nursing Practice – 05/2018
- AOS #14 – Roles of Nurses in the Implementation of Patient Care Orders – 05/2018
- AOS #15 – Roles of Nurses in the Supervision and Delegation of Nursing Acts to Unlicensed Personnel – 04/2018
- AOS #16 – Roles of Nurses in the Administration of Medications via Various Routes – 05/2018
- AOS #19 – Responsibility and Accountability of Nurses for Patient Care Assignments and Nursing Care Delivery – 05/2018
- AOS #20 – Roles of Registered Nurses in Invasive Cardiac Procedures – 05/2018
- AOS #21 – Roles of Nurses and Technicians in Dialysis – 05/2018
- AOS #22 – Roles of Nurses who Provide “Private Duty” Nursing – 05/2018
- AOS #23 – The Application and Removal of a Cast by Nurses and Closed Reduction of a Fracture by APRN – 05/2018
- AOS #27 – Components of Licensed Practice Nursing Practice – 05/2018
- AOS #28 – Roles of Nurses in Endoscopic Procedures – 05/2018
- AOS #30 – School Nursing Practice – 05/2018
- AOS #31 – Removal of Arterial and Venous Access Devices (Sheaths) and Use of Mechanical Compression Devices by Nurses – 05/2018
- AOS #32 – Procedural Sedation and Analgesia – 05/2018
- AOS #35 – Cosmetic and Dermatological Procedures by Nurses – 05/2018
- AOS #37 – Role of the Advanced Practice Registered Nurse in the Prescribing of Medications to Self and/or Family – 05/2018
- AOS #39 – Scope of Registered Nursing Practice in the Deactivation of Internal Defibrillator – 05/2018

### **Advisory Opinion Statements – Withdrawn**

AOS #05 The Performance of Advanced Life Support Procedures by Nurses – 04/2018

## **Task Forces/Work Groups Established**

None

## **Task Forces/Work Groups**

LPN IV Therapy Workgroup

## **Statutes/Regulations – Revised**

- 201 KAR 20:057 Scope and Standards of Practice of Advanced Practice Registered Nurses – Effective 11/2017
- 201 KAR 20:400 Delegation of Nursing Tasks – Effective 02/2018

## **Statutes/Regulations – New**

- 201 KAR 20:065 Professional Standards for Prescribing Buprenorphine-Mono-Product or Buprenorphine-Combined-with-Naloxone by APRNs for Medication Assisted Treatment for Opioid Use Disorder – Effective 01/2018

The Kentucky Board of Nursing is authorized by Kentucky Revised Statutes (KRS) Chapter 314 to regulate nurses, nursing education and practice, promulgate regulations and to issue advisory opinions on nursing practice, in order to assure that safe and effective nursing care is provided by nurses to the citizens of the Commonwealth.

The Kentucky Board of Nursing issues advisory opinions as to what constitutes safe nursing practice. As such, an opinion is not a regulation of the Board and does not have the force and effect of law. It is issued as a guideline to licensees who wish to engage in safe nursing practice, and to facilitate the delivery of safe, effective nursing care to the public.

## **Mission of the Kentucky Board of Nursing**

The primary mission and purpose of the Board is to enforce public policy related to the safe and effective practice of nursing in the interest of public welfare. As a regulatory agency of state government, the Board of Nursing accomplishes this mission as authorized by Kentucky Revised Statutes (KRS) Chapter 314—The *KENTUCKY NURSING LAWS* and attendant administrative regulations. In accomplishing one aspect of the mission, the Board of Nursing issues advisory opinions on what constitutes the legal scope of nursing practice.

An opinion is not a regulation of the Board; it does not have the force and effect of law. Rather, an opinion is issued as a guidepost to licensees who wish to engage in safe nursing practice.

To date, the Board has published forty (41) (38 are currently active) advisory opinion statements, as listed on the “Kentucky Board of Nursing Publications” form and on the Board’s website at <http://kbn.ky.gov>.

Advisory opinion statements are developed and published when:

1. Multiple inquiries are received regarding a specific nursing procedure or act;
2. The Practice Committee or APRN Council determines that a specific nursing procedure or act has general applicability to nursing practice and warrants the

- development of an opinion statement; or
3. The Board directs that an opinion statement be developed.

When studying issues, the Board reviews and considers applicable standards of practice statements published by professional nursing organizations; the educational preparation of both registered and licensed practical nurses as provided in the prelicensure nursing education programs in the Commonwealth; and, when applicable, the organized post-basic educational programs for advanced registered nurse practitioners. The Board also gathers information regarding practice issues from nurses in relevant practice settings (including staff nurses, supervisors, nurse faculty members, etc.) and/or representatives from state nursing associations in the Commonwealth, among others. Further, the Board reviews applicable opinions issued by the Office of the Attorney General.

### **Accountability and Responsibility of Nurses**

In accordance with KRS 314.021(2), nurses are responsible and accountable for making decisions that are based upon the individuals' educational preparation and current clinical competence in nursing, and requires licensees to practice nursing with reasonable skill and safety.

Acts that are within the permissible scope of practice for a given licensure level may be performed only by those licensees who personally possess the education and experience to perform those acts safely and competently. A nurse/licensee who doubts his/her personal competency to perform a requested act has an affirmative obligation to refuse to perform the act, and to inform his/her supervisor and the physician prescribing the act, if applicable, of his/her decision not to perform the act.

If a licensee accepts an assignment that the licensee believes is unsafe or for which the licensee is not educationally prepared, then the licensee also assumes the potential liability, which may occur as a result of the assignment. Others may equally or concurrently be responsible, accountable, and liable for a licensee's actions.

Practice should be consistent with the *Kentucky Nursing Laws*, established standards of practice, and be evidenced based.

### **Practice Opinions**

In addition to the 38 active advisory opinions published as of June 30, 2018, the Board has issued from July 1, 2017 to June 30, 2018, individual practice opinions in response to inquiries on specific nursing practice situations, summarized as follows:

1. **Scope of Practice for Registered Nurses in the Delegation of Medication Administration of Klonopin® (Clonazepam) Wafers for Seizure Management to Unlicensed Assistive Personnel**

December 2017 – it was the advisory opinion of the Board that:

The delegation of the medication administration of Klonopin® (Clonazepam) wafers for seizure management to unlicensed assistive personnel is within the scope of practice for a Registered Nurse.

## **2. APRNs (CRNAs & CNMs) Role Designation/Population Focus Performing Sports Physicals**

April 2018 – it was the advisory opinion of the Board that:

The performance of a sports physical is within the scope of practice for the APRN who within the APRN role designation and population focus, is currently educationally prepared and clinically competent in the performance of sports physicals.

APRNs should utilize the KBN Guidelines for Determination of APRN Scope of Practice and KBN Scope of Practice Decision-Making Model for APRNs, to determine if the performance of a task or procedure is within their individual scope of practice.

## **3. Scope of Practice of the APRN CRNA in the Independent Practice of Cosmetic and Dermatologic Procedures**

April 2018 – it was the advisory opinion of the Board that:

The independent practice of ordering medications and performing cosmetic and dermatologic procedures is not within the scope of practice of an APRN CRNA. The performance of cosmetic and dermatologic procedures may be within the scope of practice of the APRN who utilizes the registered nurse license and is educationally prepared and clinically competent to perform cosmetic and dermatologic procedures under the orders of an authorized prescriber.

APRNs should utilize the KBN Guidelines for Determination of APRN Scope of Practice and KBN Scope of Practice Decision-Making Model for APRNs, when determining if a particular procedure is within the APRN's individual scope of practice.

## **4. Scope of Practice of the Ketamine Clinics for Chronic Pain/PTSD**

April 2018 – it was the advisory opinion of the Board that:

It is within the scope of practice for a CRNA to prescribe Ketamine for chronic pain. The CRNA should be educationally prepared and clinically competent and hold the necessary collaborative agreements for prescriptive authority (CAPA-NS and CAPA-CS). It is not within the scope of practice for a CRNA to diagnose or prescribe Ketamine for mental health conditions. However, a CRNA may administer Ketamine for mental health conditions on the prescription of an appropriate provider.

APRNs should utilize the KBN Guidelines for Determination of APRN Scope of Practice and KBN Scope of Practice Decision-Making Model for APRNs, when determining if a particular procedure is within the APRN's individual scope of practice.

**All advisory opinion statements may be downloaded from the KBN website <http://kbn.ky.gov>.**

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### **Determining Scope of Practice**

KRS 314.021(2) holds all nurses individually responsible and accountable for the individual's acts based upon the nurse's education and experience. Each nurse must exercise professional and prudent judgment in determining whether the performance of a given act is within the scope of practice for which the nurse is both licensed and clinically competent to perform. In addition to this advisory opinion statement, the Kentucky Board of Nursing has issued Advisory Opinion Statement #41 RN/LPN Scope of Practice Determination Guidelines which contains the KBN Decision-Making Model for Determining Scope of Practice for RNs/LPNs and published the APRN Scope of Practice Decision Making Model providing guidance to nurses in determining whether a selected act is within an individual nurse's scope of practice now or in the future. Copies of Advisory Opinion Statement #41 RN/LPN Scope of Practice Determination Guidelines and the APRN Scope of Practice Decision Making Model may be downloaded from the Board's website <http://kbn.ky.gov>.

KRS 314.011(6) defines "registered nursing practice" as:

...The performance of acts requiring substantial specialized knowledge, judgment, and nursing skill based upon the principles of psychological, biological, physical, and social sciences in the application of the nursing process in:

- a) The care, counsel, and health teaching of the ill, injured or infirm;
- b) The maintenance of health or prevention of illness of others;
- c) The administration of medication and treatment as prescribed by a physician, physician assistant, dentist, or advanced practice registered nurse and as further authorized or limited by the board, and which are consistent either with American Nurses' Association Scope and Standards of Practice or with standards of practice established by nationally accepted organizations of registered nurses. Components of medication administration include, but are not limited to:
  - 1. Preparing and giving medication in the prescribed dosage, route, and frequency, including dispensing medications only as defined in subsection (17)(b) of this section;
  - 2. Observing, recording, and reporting desired effects, untoward reactions, and side effects of drug therapy;
  - 3. Intervening when emergency care is required as a result of drug therapy;
  - 4. Recognizing accepted prescribing limits and reporting deviations to the prescribing individual;
  - 5. Recognizing drug incompatibilities and reporting interactions or potential interactions to the prescribing individual; and
  - 6. Instructing an individual regarding medications;
- d) The supervision, teaching of, and delegation to other personnel in the performance of activities relating to nursing care; and
- e) The performance of other nursing acts which are authorized or limited by the board, and which are consistent either with American Nurses' Association Standards of Practice or with Standards of Practice established by nationally accepted organizations of registered nurses.

KRS 314.011(10) defines "licensed practical nursing practice" as:

...The performance of acts requiring knowledge and skill such as are taught or acquired in approved schools for practical nursing in:

- a) The observing and caring for the ill, injured, or infirm under the direction of a registered nurse, advanced practice registered nurse, physician assistant, licensed physician, or dentist;
- b) The giving of counsel and applying procedures to safeguard life and health, as defined and authorized by the board;
- c) The administration of medication or treatment as authorized by a physician, physician assistant, dentist, or advanced practice registered nurse and as further authorized or limited by the board which is consistent with the National Federation of Licensed Practical Nurses or with Standards of Practice established by nationally accepted organizations of licensed practical nurses;
- d) Teaching, supervising, and delegating except as limited by the board; and
- e) The performance of other nursing acts which are authorized or limited by the board and which are consistent with the National Federation of Licensed Practical Nurses' Standards of Practice or with Standards of Practice established by nationally accepted organizations of licensed practical nurses.

KRS 314.011(8) defines "advanced practice registered nursing practice" as:

"Advanced practice registered nursing" means the performance of additional acts by registered nurses who have gained advanced clinical knowledge and skills through an accredited education program that prepares the registered nurse for one (1) of the four (4) APRN roles; who are certified by the American Nurses' Association or other nationally established organizations or agencies recognized by the board to certify registered nurses for advanced practice registered nursing as a certified nurse practitioner, certified registered nurse anesthetist, certified nurse midwife, or clinical nurse specialist; and who certified in at least one (1) population focus. The additional acts shall, subject to approval of the board, include but not be limited to prescribing treatment, drugs, devices, and ordering diagnostic tests. Advanced practice registered nurses who engage in these additional acts shall be authorized to issue prescriptions for and dispense nonscheduled legend drugs as defined in KRS 217.905 and to issue prescriptions for but not to dispense Schedules II through V controlled substances as classified in KRS 218A.020, 218A.060, 218A.080, 218A.100, and 218A.120, and under the conditions set forth in KRS 314.042 and regulations promulgated by the Kentucky Board of Nursing on or before August 15, 2006. ...The performance of these additional acts shall be consistent with the certifying organization or agencies' scopes and standards of practice recognized by the board by administrative regulation.